



The Commonwealth of Massachusetts *Department of State Police*

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

THOMAS A. TURCO, III
SECRETARY

COLONEL KERRY A. GILPIN
SUPERINTENDENT

Office of the Chief Legal Counsel

470 Worcester Road

Framingham, Massachusetts 01702

January 14, 2019

Dave Maass
MuckRock News
DEPT MR 65848
411A Highland Ave
Somerville, MA 02144-2516

Via Email Only

65848-81430186@requests.muckrock.com

Re: Your Request for Records

Dear Mr. Maass:

The Department of State Police (the "Department") is in receipt of your request for information related to Automatic License Plate Reader data. Please be advised General Laws c. 66, § 10 (the public records law) requires access to public records in the possession of public officials. While "public records" are broadly defined for purposes of G.L. c. 66, § 10, at the very least the information contemplated must exist in some form prior to the submission of a public records request for the same information. If this were not the case, public officials would be required to create records in order to fulfill a request for public records. Therefore, the Department's obligation under the public records is to provide existing records, not to create records or to provide responses to questions which are not requests for records. Your request seeks the following:

- 1) The names of agencies and organizations with which the Agency shares ALPR data;
- 2) The names of agencies and organizations from which the Agency receives ALPR data;
- 3) The names of agencies and organizations with which the Agency shares "hot list" information; and

Excellence In Service Through Quality Policing

- 4) The names of agencies and organizations from which the Agency receives “hot list” information.

With respect to these items, these do not appear to be requests for records. To the extent they may be seeking records, the Department does not maintain records responsive to this portion of your request.

Please also be advised that the Department is not in the custody or control of the Vigilant Systems program LEARN referenced in your request. As for your request for the aggregate number of “detections” and “hits” from 2016 to 2018, the data for total detections, i.e. reads and data for total hits is retained by the Department for a one year period pursuant to Department of Criminal Justice Information Services (“DCJIS”) policy. See TRF-11, Page 4, attached hereto for your reference. The total number of reads and the total number of hits from 1/8/18 – 1/8/19 are as follows:

Aggregate Reads:	234,749
Aggregate Hits:	75,327,969

If you have any questions or concerns, or if you wish to discuss this matter further, please do not hesitate to contact my office. If you wish to challenge any aspect of this response, you may appeal to the Supervisor of Public Records as set forth in 950 C.M.R. 32.08, a copy of which is available at <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-source/cmr/>. You may also file a civil action in accordance with M.G.L. c. 66, § 10A.

Thank you for your attention to this matter.

Respectfully,



Alycia J. DeAngelis, Esq.
Staff Counsel
Massachusetts State Police
(508) 988-7426